

1895

Report on the 1895 season



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CHESTER C. PLATT,

Secretary to the Governor.

REPORT ON SING SING PRISON

By GEORGE W. BLAKE

A Special Commissioner Appointed to Investigate Prisons and Reformatories of this State.

ALBANY, N. Y., April 21, 1913.

HON. WILLIAM SULZER, *Governor State of New York, Executive Chamber, Albany, N. Y.:*

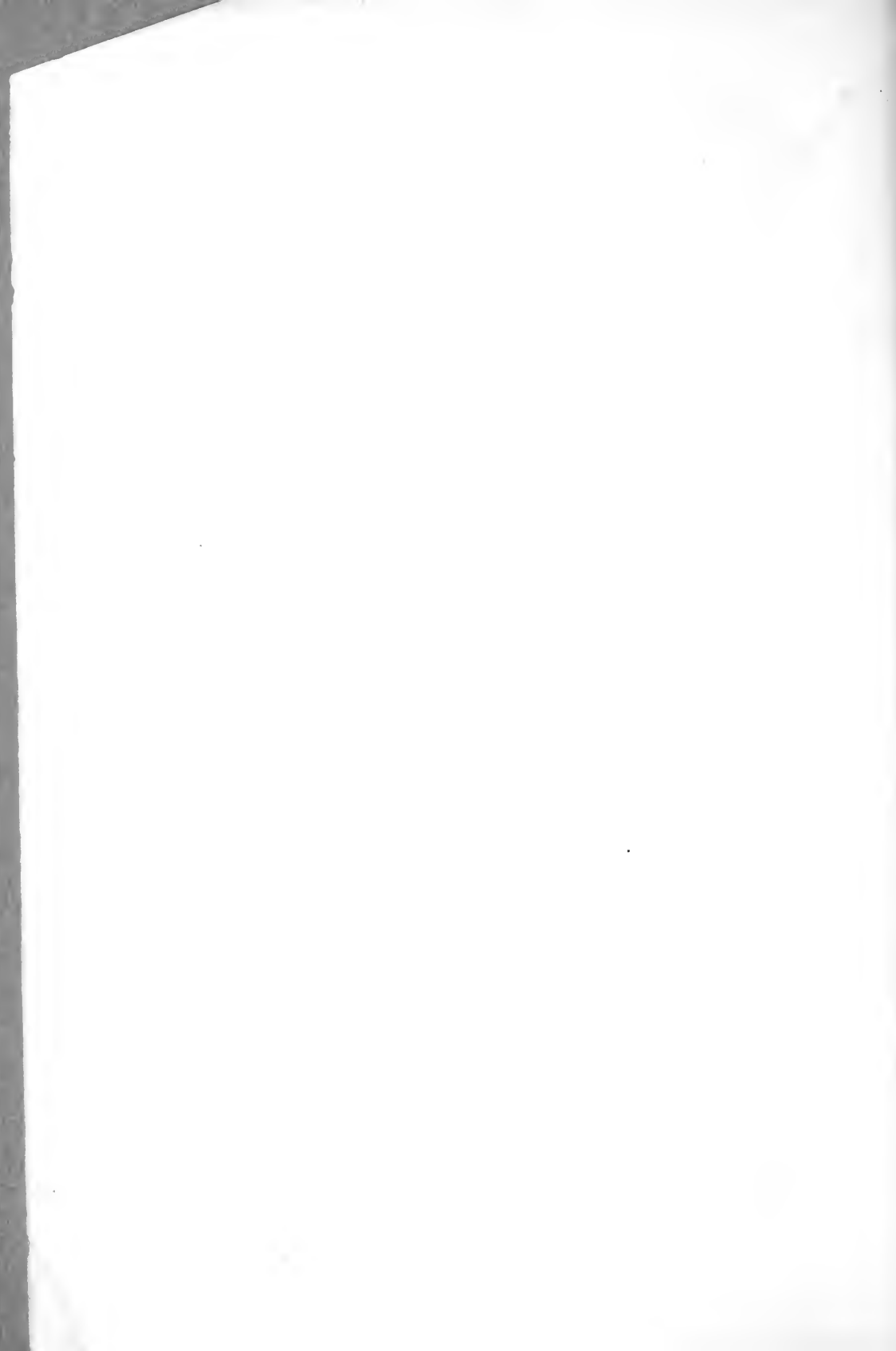
SIR.—Herewith I beg to submit my report on the management and conditions at Sing Sing Prison:

ADMINISTRATION.

The prison is remarkable because of the lack of any cohesive or well poised plan of government. It is so slipshod and incompetent as to breed the suspicion at the first glance that the purpose is to cover up dishonest methods by a brazen show of innocent carelessness.

I found no one man in the prison who appeared to know the slightest thing about the work he was expected to do, with the exception of the prison doctors, who are, without doubt, conscientious men striving to do their duty in the face of manifold difficulties.

Warden Kennedy has violated the law, he has permitted the creation and continuance of unbusinesslike methods and has caused the State to lose thousands of dollars in a way that points directly to graft. He has made no attempt to protect the inmates from disease and vice, nor any effort to produce better conditions in this prison. During his administration scandals of the prison management have become rife in every section of the State.



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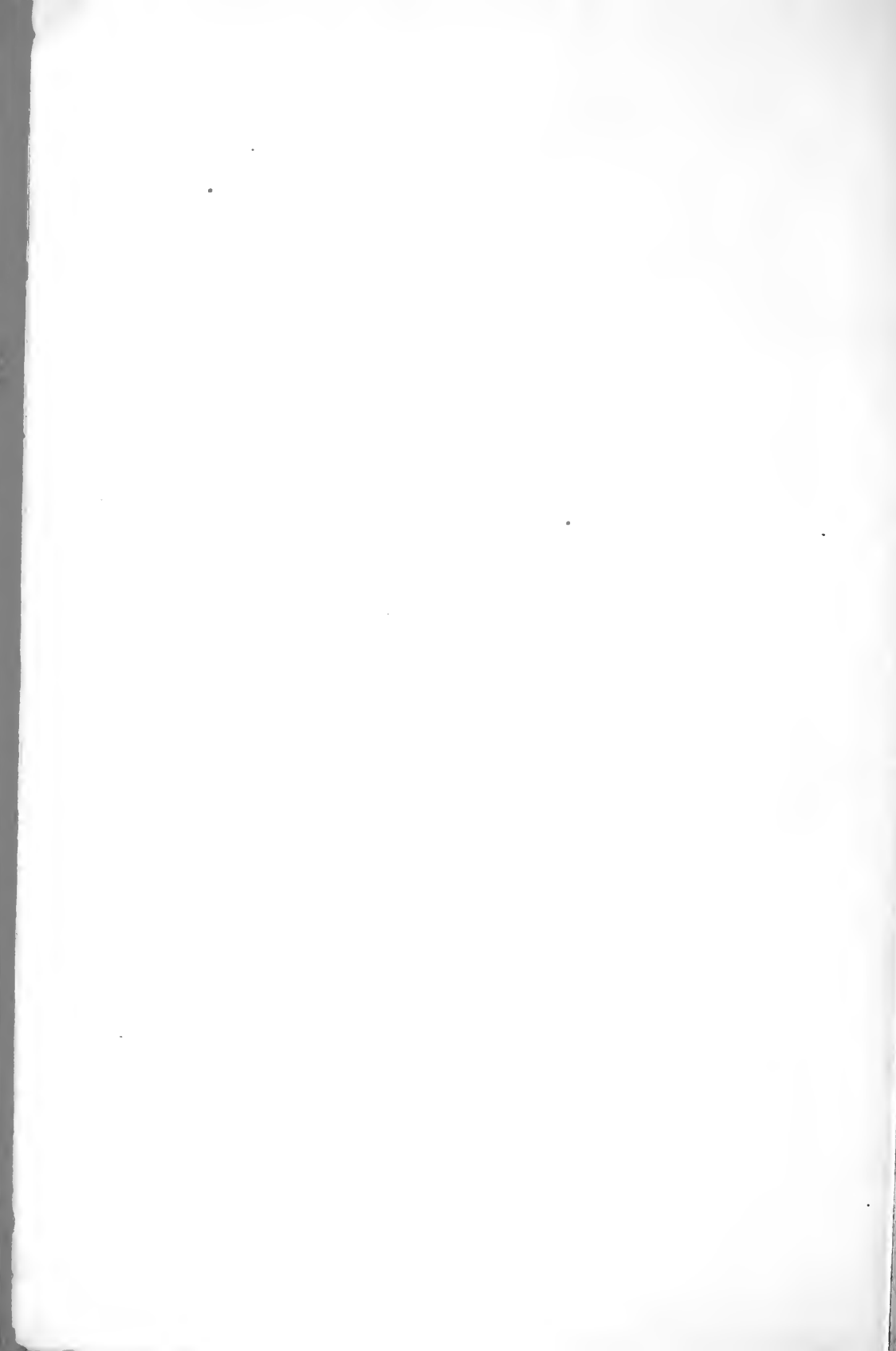
I do not wish to bear too heavily upon Warden Kennedy, because I am strongly of the opinion that the facts set forth in this statement are due directly to Joseph F. Scott, who was for nearly two years Superintendent of Prisons. I have dug into the sterile soil of prison management to discover, if possible, one redeeming trait in the management of prisons of this State during the period in which Colonel Scott was in control but I have not found one sign to show that he was either competent, conscientious or industrious.

There is ample evidence to prove that Colonel Scott was poorly equipped for the place of Superintendent of Prisons and that during his administration the prisons deteriorated with a speed that threatened complete demoralization. But there are some things that even he could have done to relieve the bad conditions in Sing Sing if he had cared to. If he had sought the assistance of Dr. Farr, the prison physician, or Dr. Mareness, the assistant physician, suggestions for improving the conditions would have been made. Or he might have had the aid of some of the most competent prison men and the advice of alienists without cost to the State if he had displayed any personal interest in the matter. There is not an atom of proof that Colonel Scott ever contributed anything of value to the prison.

Where Colonel Scott got his reputation as a penologist is well known to many prison officials and it is fairly well known to me. It did not grow out of knowledge but came from the imagination of a man who for many years took money from the State for services which were not rendered. This man is Frederick Hamlin Mills, concerning whose operations a separate report will be made if you desire it, and which will contain the names of some of the men concerned with him in his schemes and who shared in the large profits that grew out of them.

I asked Warden Kennedy if he had ever known of Colonel Scott making any suggestions of value for the improvement of the prison system and he replied that he did not. I asked Principal Keeper Connaughton, the most experienced prison man in the State, this question:

Q. Did you ever know of Colonel Scott visiting the cell house, inspecting the cells, or hear him discuss any methods as to how the



conditions here could be relieved? Mr. Connaughton replied: A. I have seen him around here a little.

Then I asked:

Q. Are you familiar with the conditions of dirt, of disease and of vileness that prevail here? And he replied: A. I am, Commissioner.

Then I asked him this question:

Q. Is Warden Kennedy aware of it? He replied: A. He knows what I know.

Q. Was Colonel Scott aware of it? A. I think he was.

Q. Do you know of your own knowledge whether Colonel Scott ever made any real effort to clean up the conditions here and make the prison more sanitary? A. No, sir.

Here is an extract from the testimony of Dr. Mareness, the assistant prison physician:

"There are two hundred cells flush with the flagging. In the hot months moisture on the walls is perceptible and tangible. The cells are primarily responsible for the large number of cases of rheumatism that occur in the prison. A number of these cases have been severe enough to incapacitate a man so that upon his discharge he was partially, if not wholly, unfit to follow his usual work. At the present time there are a large number of chronic rheumatism cases. Two hundred of the cells are occupied by two men. These cells are intended only for one. No care is taken in selecting the two men who have to occupy a single cell. A man sentenced to prison for assault and undergoing his first term of imprisonment is sometimes compelled to occupy a cell with an habitual criminal. The cells are infected with vermin. It is impossible to fumigate or disinfect them.

"Any improvement that occurred during the administration of Colonel Scott was superficial and of such slight import as to have made no impression on my memory. Colonel Scott was indifferent to the great big necessities. I do not consider Colonel Scott a good penologist. During his administration there was no improvement in the bad moral conditions that prevail. I spoke to the Colonel about it but he made no suggestions."

Neither Warden Kennedy, Mr. Connaughton, the prison doc-

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tors or any man employed within the prison, ever attempted to deny the frightful conditions that prevail within the prison or to defend them. The worst feature of the prison management cannot be discussed in any public document, but the subject is of such vital importance to the welfare of the State that no time should be lost in submitting it to the attention of men competent to present a method of bettering a condition that breeds disease of the mind and body and that should touch the hearts of every man with any human instincts.

One man said to me that the only offense a prisoner could commit, that would be followed by speedy punishment, was the offense of trying to get something to eat. He told me stories, amply corroborated, of such frightful character as to appeal to the most unfeeling person. Colonel Scott knew of the existence of these horrors. There is no doubt about that and yet he never made one effort, so far as I was able to learn, to minimize them. Nor did he ever seek any method of preventing the occupancy of the cells by two men, nor to see that when the men were placed in a cell their enforced comradeship would be in any sense congenial. The low thief, stricken with disease, with no mental capacity and with the lowest possible instincts has often been locked into a cell with a man of education, of some ideals and of clean personal habits. This would be bad enough if the cells were light, or large, or clean, instead of being dark, and small and filthy. Also they are unsanitary and those on the ground floor drip with moisture so that the inmates of them have striven to protect themselves from the chill and dampness by hanging sheets and blankets over the walls. In these cells men contract rheumatism. In many cases they become victims of chronic rheumatism and go out crippled for life.

Into none of the cells on the lower tiers has a ray of sunshine entered for eighty years. Stories of torture of prisoners in the middle ages sound like descriptions of luxuries in comparison to the tales that have been told me of the lives that some of the prisoners in Sing Sing live. The cramped and unhealthy conditions are made worse by the presence of vermin in the cells. When the cell house men are let out in the morning they sweep out the refuse from their cells. Dust and germs are swept down



from tier to tier so that at night when the men lie down for rest their pillows are covered with dirt. Life in these cells is torture to every grade of man who has a spark of imagination, or who ever lived in a decent home. Even the lowest and most degraded man must undergo cruel and unusual punishment when confined in these cells during the hours of the ordinary night. But when comes Sunday or a holiday the horror of the situation is increased. During these periods the men are confined in their cells for 18 and 19 hours and it is no exaggeration to say that after these periods of confinement the men go out pale and staggering.

A Sunday or a holiday is a dreadful thing for these men. It is bad enough when one man is alone in the cell, but when the men are doubled up the physical suffering is greatly increased. There is only one other thing that could add to the misery of these men and that one thing was not overlooked by Colonel Scott or Warden Kennedy. This was the knowledge that certain men through political influence, or by the payment of money, or by some other reason, received favors.

I shall also make a separate report along these lines which will require a special investigation in an effort to expose men in this State, some of them public officials, who banded themselves together to wring money from these prisoners. I have evidence showing that because of influence, exerted by men well known in various walks of life, money has been wrung from persons seeking clemency for prisoners.

If the commutations and pardons bought were always delivered there would have been a glint of fairness in the transactions, but in some cases the "goods were not delivered."

I have evidence showing that by the payment of money men have been accorded the privilege of seeing their friends alone in a room adjacent to the warden's office. I strongly suspect, and I believe I will be able to prove it, that certain men throughout the State have used employees within the prison to ferret out for them prisoners with means in order that they might, by promises of clemency and of privileges, wring some money from them.

This frightful condition thrived during the last two years. There are several important lines of investigation that should be taken up and followed to the very end in order that men who have



lived on the sufferings of others should be exposed and the prison ring broken.

Here are short extracts from the testimony of two witnesses:

WARDEN KENNEDY.

"At the present time the cell block contains 1,200 cells and we have over 1,500 prisoners. This necessitates doubling up which is a crime pure and simple. On the lower gallery it is impossible to keep the cells dry. The moisture on the walls on a day like this is awful. You can scrape the water off the walls. I never saw anything in the prison reports coming from Colonel Scott that was of any value."

PRINCIPAL KEEPER CONNAUGHTON.

"I have called the attention of Warden Kennedy to the condition in the prison. Colonel Scott never asked me for any suggestions. He seemed to think that he knew it all himself. I think that conditions were just as good under Superintendent Collins as under Superintendent Scott only that under Scott things were slowing up a little."

INDUSTRIAL DEPARTMENT.

The Industrial Department of the prison ought to be successful because labor costs practically nothing; there are no overhead charges and a ready and ample market waits upon the product.

Frederick H. Mills, who was for many years sales agent and, who during the administration of Superintendent Scott, was the master of them, used them only for the purpose of putting money into his own pocket. I asked Warden Kennedy if this was not a fact and he replied that it was.

Bad as the industrial conditions of Sing Sing prison were prior to 1911 they grew steadily worse from that time. The beginning of this last era of bad management came with the appointment of Patrick J. Tracy, as Superintendent of Industries in this prison. The place had been in the competitive list of the Civil Service but Mr. Tracy, having no knowledge of any branch of the work, and being eligible only in the sense that his political friends wanted to find a job for him, the place was taken out of the



Civil Service and Mr. Tracy was appointed. In order to open this door for him the doors to the same job were opened also in Auburn and Clinton prisons. I asked Mr. Tracy if this place had been taken out of the Civil Service in order to give it to him and he replied: "I presume it was."

Asked about a cartage contract that the industrial department made with Michael Bradley, he replied that the contract was made by Warden Kennedy. During the sixteen months before this contract was given to Bradley the cartage charges of the prison were \$1,872.80. In the seventeen months between November 11th and March of the present year inclusive, the charges of Bradley amounted to \$3,127.32. The products of the industrial department fell off considerably during Bradley's term of service. When this situation was called to the attention of Warden Kennedy he seemed very greatly surprised and was apparently ignorant of the situation.

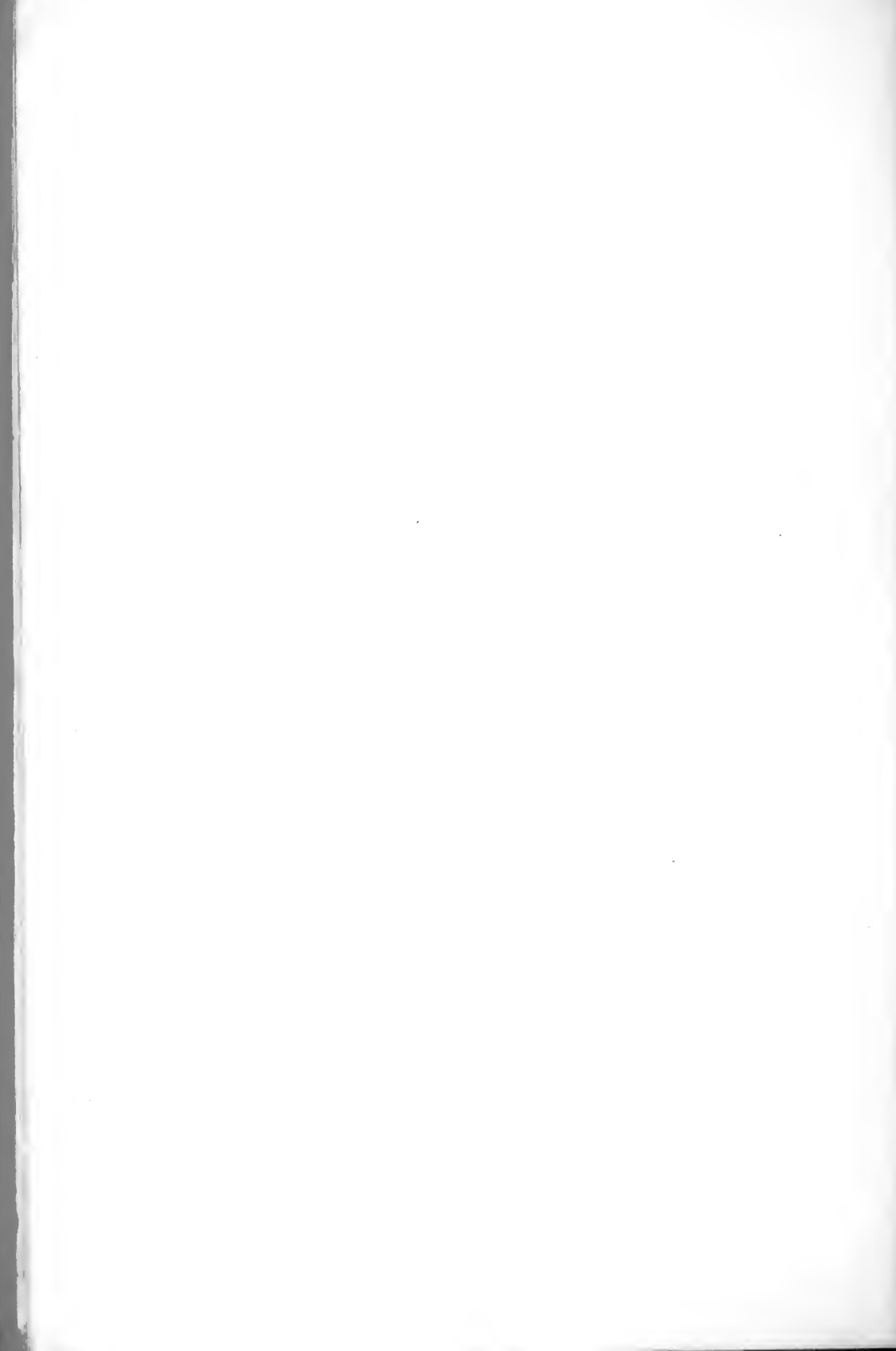
In 1910 the total sales of the industrial department amounted to \$406,937.67; in 1911 to \$381,591.24, and in 1912 to \$337,878. In the first six months of the present fiscal year, beginning October 1st, they were \$183,417.13.

The profits for the first six months of the four fiscal years referred to were:

1910	\$76,749 70
1911	51,765 69
1912	30,052 16
1913	44,140 33

Without making any charge of graft or dishonest management I desire to submit these figures covering purchases of lumber from June 18, 1912, to October 9, 1912:

1912.		Low bid.	Paid per 1,000.
June 18.	5,000 feet yellow pine	\$27.75	\$40.00
July 19.	12,000 feet yellow pine	22.50	40.00
July 19.	5,000 feet white pine	29.00	37.50
	2,500 feet spruce	41.50	50.00
	6,000 feet spruce	43.50	52.00
	5,000 feet 1¼ inch spruce	42.50	52.00
April 20.	Lumber (per 1,000)	28.75	40.00
Oct. 9.	5,000 feet No. 2 No. Can. pine, 12" and up.	39.00	55.00



The following two purchases were made without competitive bidding. But one bid was sent out:

One ear load of Canada cut shorts. Jones Lumber Company, of North Tonawanda, N. Y., received the order. Their letter was read at the prison on January 13, 1913, and the lumber was ordered January 14, 1913.

One earload of Cypress lumber, bought of Jones Lumber Company. The order amounted to 18,000 feet at \$54.50 per M. Jones & Company quoted a price on February 4, 1913, and the order was given to them on February 13, 1913.

R. D. Jones Lumber Company received a check March 27, 1913, for: 10,104 ft. 8 x 4, \$722.44; 8,123 ft. 10 x 4, \$755.44; total, \$1,477.88.

And on January 24, 1913, a check for 22,743 ft. of 4 in., \$895.02 net.

Peculiar methods of buying were followed in every one of the industrial departments. There were five bidders for 100 tons of scrap iron. The lowest bid was \$9 and the high bid was \$15.50. The price paid was \$12.75.

Mr. Mills bought of the Elm Wooden Mills \$3,299 worth of suiting without competitive bidding.

On one occasion 4,500 feet of lumber was bought at \$78 per thousand while the market price was \$62.

In many cases no attempt was made to get competitive bids. The orders were simply sent to some favored concerns who sent what they liked and charged what they liked and there was never any question. A year ago there was a specification for 27,000 of tampico sent to Wilkins & Co., of New York, and Wilkins Bros., of New Jersey. The latter did not bid and the order was given to the New York company. I do not know whether there is any connection between the two concerns, but I am of the opinion that the specification was sent to both concerns with the full knowledge that only one concern would bid and that the sole object in sending out the two bids was to make the record show that an effort had been made to get bids from various concerns.

On nearly all of the orders sent out appear the words "best

quality." It appears that these words have often been added to the memorandum after the goods have been delivered. They meant nothing.

I file with this report a statement showing many instances where the highest bidder got the orders. Within the last two years \$3.20 each have been paid for axles, when the lowest bidder offered them for \$3.02.

Stay binding was bought at 50 cents gross yard when the lowest bid was 32 cents.

	Low bidder.	Paid.
2,000 yards selisa	\$0 06½	\$0 07½
2,000 yards suiting	55	62½
3,000 yards suiting	14¾	20
1,500 yards fancy suiting	59	65
1,000 yards suiting	40	62½
5,000 yards Oxford suiting	18½	20
4,000 yards Oxford suiting	17½	19
2,200 yards Oxford suiting	18	21
10,000 pairs hemlock insoles.....	7	9½
5,000 pairs women's insoles.....	5	7
10,000 horn fibre counters.....	1 40	1 50
4,000 men's horn fibre counters.....	1 35	1 50
5,000 feet kangaroo side leather.....	16½	18
5,000 feet black glazed side leather.....	17	18
1 barrel furniture varnish (per gal.).....	17	18
3,000 yards bleached sheeting.....	15	17½
100 tons scrap iron.....	9 00	12 75
125 tons pig iron.....	15 65	16 00

These are only a few of the 103 cases filed with this report where the high prices were paid for material. I have no doubt but that in the cases where the prices higher than the lowest bid were paid, and which were a trifle less than the highest bid, the highest bidder got the contract at a price less than his first bid. That there was collusion seems certain.

The methods of doing business in the industrial department were so unbusinesslike, to use no stronger phrase, that to dip in the records leads to the gravest suspicions.

In certain cases only one specification was sent out. In some instances the names of firms were put on the list for the receipt of specifications when it was well known from the records that they would not bid. In other cases it appears as if arrangements have been made where very high bids have been sent in to give the excuse for accepting lower bids that were really excessive. Since the first of the year more specifications have been



sent out. It only requires an honest administration to eradicate this incompetent, wasteful and dishonest way of doing business.

Another sample of the unbusinesslike methods that prevail is that it appears there has been no effort made to collect accounts due the prison. Here is a list of the accounts:

Bellevue Hospital	\$23,172 82
Superintendent of Public Charities.....	12,337 36
Department of Street Cleaning.....	15,334 75
Central Islip State Hospital.....	4,492 87
Department of Health.....	6,443 19
Department of Education.....	5,492 74
<hr/>	
Total	\$67,273 73
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Here are a few facts showing how, during the last two years, the business has deteriorated. The business of the clothing department shows a profit during the first six months of the present fiscal year of \$7,027.24. This is an increase over the profits of the corresponding period of 1912 of \$1,170.62 and a decrease for the same months of 1911 of \$5,712.12.

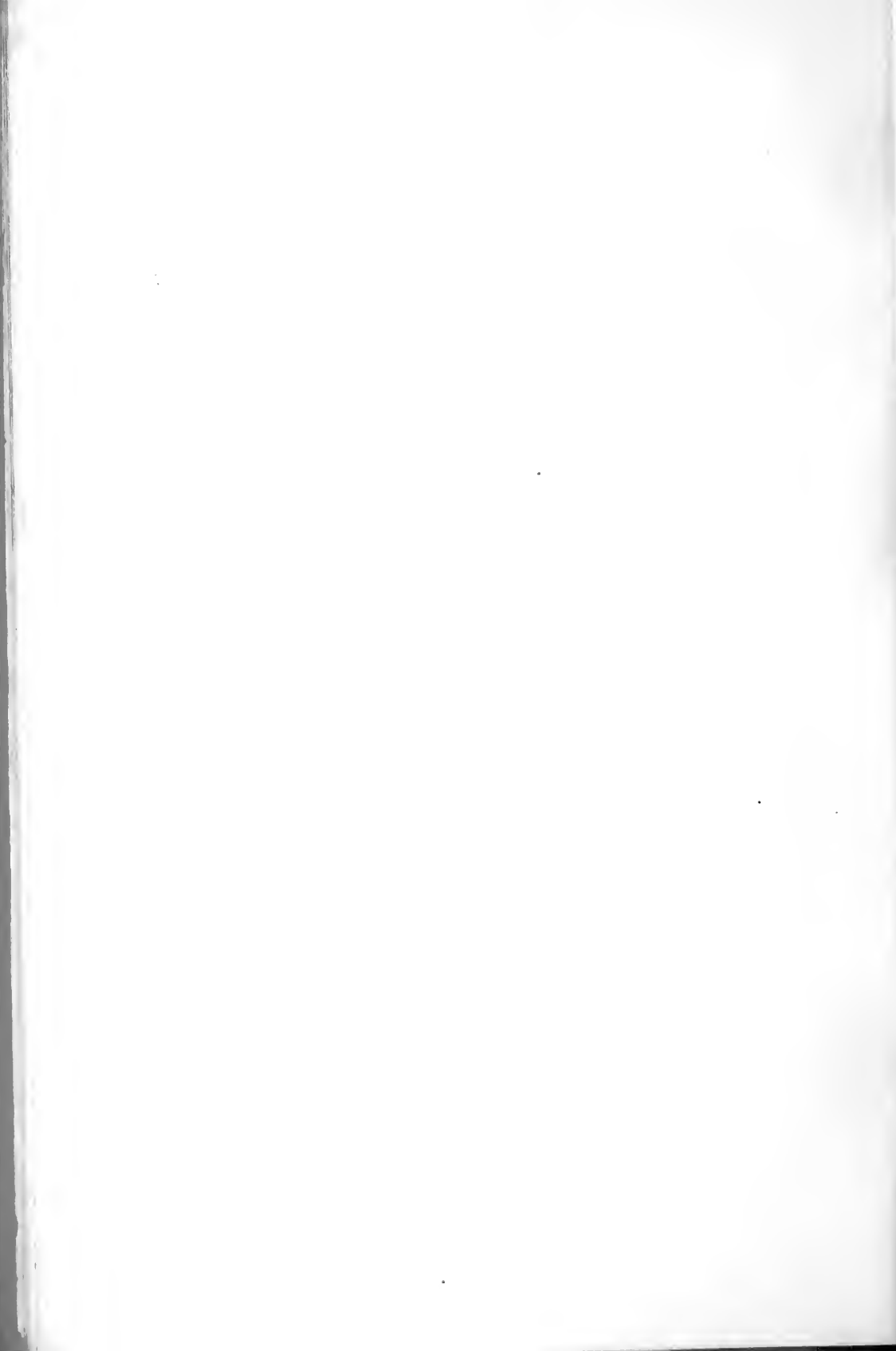
The shoe shop shows a profit for the first six months of the fiscal year of \$6,447.51. This is a decrease from the profits of the corresponding period of 1913 of \$1,197.98 and of \$2,785.52 under the receipts of 1911.

Another striking method of the way business is conducted in this prison can be found in the brush shop. In 1911 the gross sales were \$17,264.50, on which there was a profit of \$3,199.50, and in 1912 the gross sales were \$24,103.97, the profits on which were only \$2,782.

The gross sales for the first six months of the fiscal year, 1911, were \$1,866.82 — over three times the profit of 1912 on sales which were about \$1,800 less in gross.

I consider it would be useless to make any further investigation into this matter. All that is needed is to change the personnel of the men in charge.

On an order from Bellevue Hospital for 172 mattresses, a price of 35 cents a pound was quoted by Mills. It cost 26 cents per



pound for hair. Fifty dozen brooms, made up at Mr. Mills' suggestion, were never sold.

The sash and door department of the prison has continued although it is generally admitted that the department is of no value whatever and is only a burden for the prison management to carry.

This department shows a loss for the past six months of \$745.57, and practically the same amount for the corresponding period of the previous fiscal year.

But in 1911, prior to the administration of Superintendent Scott, it showed a profit of \$6,718.66.

The cart and wagon department shows a profit for the past six months of \$6,718.19, an increase over the corresponding period of last year of \$3,498.44. The gross sales amounted to \$79,676.56 in 1911, on which there was a profit of \$17,185.62. In 1912 there was a profit of \$22,890.84 on gross sales of only \$48,879.28.

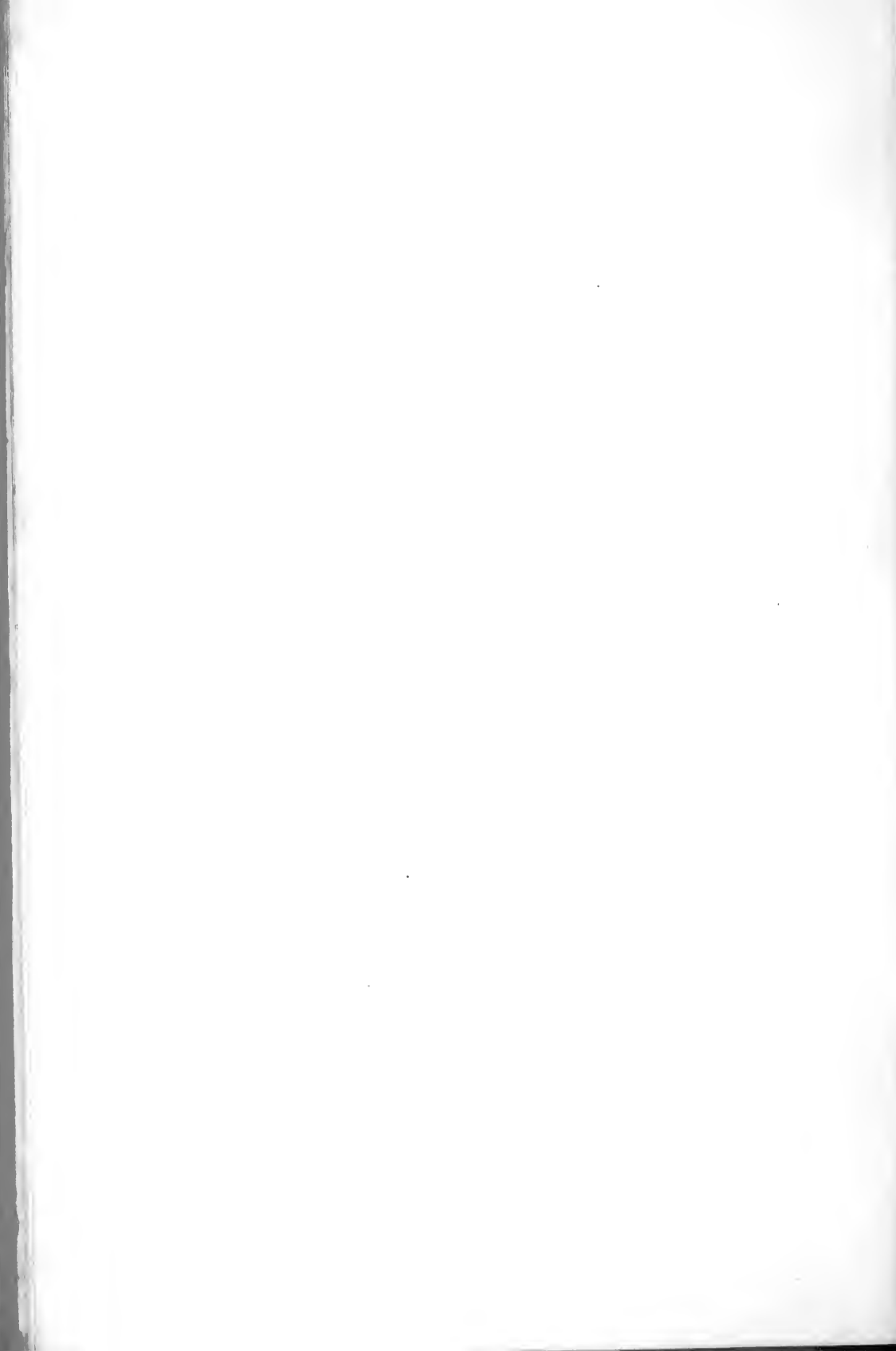
The knitting and hosiery department is the most important one at the prison and it showed a profit for the past six months of the fiscal year, 1913, of \$17,159.20, an increase of \$9,752.73 over the profits of the corresponding period of last year.

The figures also show a peculiar condition of profits. The gross sales for 1910 were \$120,368.48, on which there was a profit of \$48,640.28. In 1911 the sales were \$109,181.32 and the profits were only \$21,416.32. This was a loss in the net of about \$27,000, while the gross sales decreased only about \$11,000.

The loose and unbusinesslike methods could be multiplied indefinitely, but I think the facts presented here are sufficient to show that the matter needs the attention of some man conscientious enough to forget occasionally his pleasures and profits.

THE COMMISSARY DEPARTMENT.

The waste in this department is so excessive that it looks very much as if food was thrown away in order to create an excuse for buying more for the benefit of somebody's pocket. Good beef comes into the hands of the storekeeper, bad beef is served to the inmates. I found nobody who could or would explain this strange occurrence. It may be that the good beef is exchanged for bad beef. Such a suspicion as this may appear foolish because it



would entail a roundabout way to graft, but my experience in the prisons has convinced me that many prison officials are unsparing in this direction.

Figures from the commissary department excited my admiration of the capacity of the warden to consume beef. During March he was served with 469 pounds, which seems a deal of meat for one family to eat. If these figures are wrong the fault lies with the bookkeeping system and not with me. During the month 16,230 pounds of beef were bought and the records show that it was disposed of in the following fashion:

Warden	469 pounds
Principal keeper	69 pounds
Night force	192 pounds
Condemned men	530 pounds
Hospital	1,155 pounds
Convicts	12,633 pounds
On hand	3 pounds

This left 1,179 pounds to be accounted for and it was promptly accounted for by the declaration that it was due to shrinkage. There was also considerable waste but this was not referred to at the time. Later this reticence was overcome.

The more beef consumed the better for Armour & Co., who sell the prison about 90 per cent. of it, thanks to an active agent. I am strongly of the opinion that the meat bought from other concerns on some other plan might result in cutting the shrinkage down to something less than 40 per cent.

Some reason for the large consumption of beef appeared when the waste was looked into. I thought there was a good deal of waste in the other prisons, and there really is, but it sang small in comparison with the way food is squandered in Sing Sing. The waste is at least 25 per cent., or in round figures about \$15,000 a year. I intended going into the various items of waste in detail and show just how much newly cooked food was thrown away each day. But very shortly this detailed work became unnecessary because the broad aspect of the matter was speedily sufficient to prove conclusively that a change in the personnel of the com-



missary department would mean thousands of dollars saved for the State.

On Tuesday, April 8th, 1,000 pounds of food were taken from the tables and thrown into the swill barrels. This food consisted of hamburg steak, vegetable soup, boiled potatoes, bread and coffee. From Wednesday's breakfast alone the waste weighed 625 pounds. Then, suspecting that this supervision of the waste was to continue, some care was exercised so that the waste from Thursday's breakfast was only 200 pounds. This proved that the waste was wanton and that only indifferent care could have reduced it at least one-third. This waste runs all through the department. Sixteen hundred pounds of potatoes weighed only 1,100 pounds after they were pared.

The method of buying flour for the prison is mysterious. All kinds of bids are sent out, but one concern nearly always gets the order. When the flour comes to the prison in carload lots the receipts are signed by Frederick J. Hahn, the kitchen keeper. Mr. Hahn was asked:

Q. Do you count the number of barrels? A. Not always.

Q. The storekeeper says it is all right and you sign your name to the receipt? A. Yes, sir.

Q. It might be 250, 300, or 350 barrels? A. Yes, sir.

Mr. Hahn said that the whole codfish was bought by order of Colonel Scott and that the method was wrong. Scrap codfish, he said, was cheaper and more nutritious and there was no waste to it.

Then came this testimony:

Q. Did Colonel Scott ever speak to you in regard to methods in running the kitchen? A. I do not know whether he asked me about better methods, but I know I have had arguments with him in regard to the methods we were working under.

Q. Did your arguments have any effect? A. He told me to get out of the office.

Q. Do you think you could save \$1,000 a month under different methods? A. Yes, if I could do the buying as it ought to be done.

Q. That is, under honest, ordinary business methods? A. Yes, sir.



Q. Are the articles you receive up to specifications? A. I do not know; I would have to see the samples, and they are not kept here.

Q. They are kept in Albany? A. I think so.

Lyman S. Gibbs, the storekeeper, talked glibly about the various firms that sold goods to the prison, but he neglected to mention the firm of R. C. Williams & Co. When he was asked if this concern did not furnish a fair share of the goods for the commissary department he explained:

"You see, they deputize a man named Theodore Linington, Jr., who makes the contracts for them. Instead of selling the goods direct, that firm allows Linington to furnish the goods in his own name."

The commissary department of the prison is run along incompetent if not dishonest lines. There is criminal carelessness if not downright grafting. Signs that this is the case stick out as plentifully as quills on the back of a frightened porcupine.

Respectfully submitted,

GEORGE W. BLAKE,

Commissioner.

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